

Notice of Allowability

Application No.

09/884,618

Examiner

Kaveh Abrishamkar

Applicant(s)

SPAGNA ET AL.

Art Unit

2131

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to Request for Continued Examination (RCE) filed on July 12, 2006.
2. ☒ The allowed claim(s) is/are 1-3,11-13,15-20 and 22.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☐ Interview Summary (PTO-413),
Paper No./Mail Date _____
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

CHRISTOPHER REVAK
PRIMARY EXAMINER

Cel 9/18/06

EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.
2. Authorization for this examiner's amendment was given in a telephone interview with Jon Gibbons (Reg. No. 37,333) on September 15, 2006.
3. The application has been amended as follows:

The specification (page 1) is amended as follows:

CROSS-REFERENCE TO RELATED APPLICATIONS

This is a continuation-in-part of application Serial No. 09/376,102, filed August 17, 1999, which is a continuation-in-part of Serial No. 09/177,096, filed October 22, 1999, now U.S. Patent No. 6,389,538, which is a continuation-in-part of application Serial No. 09/133,519, filed August 13, 1998, now U.S. Patent No. 6,226,618. The entire disclosure of prior application Serial No. 09/376,102 is herein incorporated by reference.

The claims have been amended as follows:

4. Claims 5-9 are cancelled by virtue of this Examiner's Amendment.

REASONS FOR ALLOWANCE

1. Claims 1-3, 11-13, 15-20, and 22 are allowed.
2. The following is an examiner's statement of reasons for allowance:
3. The above-mentioned claims are allowable over the prior art because the CPA (Cited Prior Art) of record fails to teach or render obvious the claimed limitations in combination with the specific added limitations, as recited in independent claims 1, 11, and 15, and subsequent dependent claims.
4. The CPA, in particular, does not teach nor suggest a system, method or a computer-readable medium, which decrypts with a first decrypting key, the decrypting key being formed as a combination of a base key, time stamp, and update number, a section of a file and determines if there is an update to the section of the file, and if there is an update, decrypts with the first decrypting key an update reference table and a reference table thereby tracking the updates to the data items.
5. The present invention addresses the following drawbacks of the prior art and electronic content management systems:
 - 1) the non-optimal process of decrypting the entire index to an electronic content library and
 - 2) the lack of an optimal detection means when a user attempts to defeat the license by re-downloading content.

Art Unit: 2131

6. Therefore, the present invention calls for a method, system, and computer-readable medium which tracks updates to data items by using an update reference table, which provides for a secure and more efficient way to detect user trying to circumvent the licenses of electronic content stored in an electronic content library.

7. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kaveh Abrishamkar whose telephone number is 571-272-3786. The examiner can normally be reached on Monday thru Friday 8-5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ayaz Sheikh can be reached on 571-272-3795. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 2131

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

K.A.

KA

09/15/2006

CHRISTOPHER REVAK
PRIMARY EXAMINER

CR 9/18/06